

REMARKS

In the office action, the Examiner rejected claim 15 under §112 as it depends from cancelled claim 14, claims 1-4, 5, 6, 9, 12, and 15 under §102(b) as anticipated by Fleming, and claims 8, 10, and 11 under §103 based on Fleming and Poe. The Examiner has allowed claims 16-19.

Applicant has not amended claim 1 based on a telephone interview held on January 27, 2005 with Examiner Royal and Supervisory Examiner Morris. During the interview, it was agreed upon that Fleming does not teach a back plate which is formed from a single continuous piece of metal which extends downwardly past the base plate as claimed in claim 1. It was agreed upon that Fleming shows a back plate 14, and that pieces 60, 66, 58, etc. are separate pieces attached to the back plate, and that the back plate 14 does not extend below the base plate 24. Applicant therefore believes that claim 1 is allowable over the cited prior art and respectfully requests that the rejections be withdrawn.

Applicant has amended claim 9 to include the limitations that the alignment device be a single piece alignment device and that the back plate be permanently attached to the base plate. The prior art does not show a single piece alignment device with a base plate permanently attached to the back plate and having the other limitations present in claim 9. To the contrary, Fleming teaches that the back plate is advantageously removable from the base plate. (See column 1, lines 53-57, column 2, lines 43-48, column 4, lines 29-37) Applicant therefore requests that claim 9 be allowed.

The Examiner previously indicated that claims 16-19 are allowable.

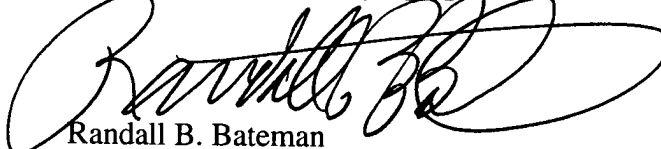
Applicant believes that claims 15 is independently patentable as it requires the single piece alignment device of claim 9 and further requires that the device is capable of installation

without complete removal of the ball hitch, which is not shown in the prior art for a single piece alignment device.

Applicant therefore believes that the claims are in condition for allowance and respectfully requests that the rejections be withdrawn. The Commissioner is hereby authorized to charge any fees owing or credit any overpayments to Deposit Account 50-2720. Should the Examiner have additional concerns regarding the application, it is requested that he contact Applicant's counsel, Randall B. Bateman, at (801) 533-0320 so that such matters may be quickly resolved.

Sincerely,

BATEMAN IP LAW GROUP

A large, stylized handwritten signature in black ink, appearing to read 'Randall B. Bateman', is written over the printed name and address.

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